

TEMPORARY

No. 67642-T

2nd AMENDED TEMPORARY

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 06 2001

Returned to applicant for correction JUN 28 2001

Corrected application filed AUG 27 2001

Map filed AUG 27 2001

The applicant **Allison Sowles Butler Trust (12%), Daryl Ellen Butler Trust (12%), Paul Brett Butler III Trust (12%), Shelley Bryant Butler Trust (12%), Ruth M. Butler Trust (28.48%) and Paul B. Butler, Sr. Trust (23.52%)** hereby make application for permission to change the **place of use and manner of use of a portion** of water heretofore appropriated under **Claim No. 709-710 Steamboat of the Truckee River decree, Fed decreed entered by the District Court of the United States for the Nevada. In the certain action entitle et al... defendants "in equity docket" A-3 United States of America Plaintiff.**

1. The source of water is **Steamboat Creek**
2. The amount of water to be changed **25 ac ft**
3. The water to be used for **Road construction or Dust Control**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Several Ramelli ditches with the W½ of Section 3 & 10 Township 18N, R20E., M.D.B.&M. as decreed**
6. The existing permitted point of diversion is located within **Same as item #5**
7. Proposed place of use **N½-NW¼, NW¼-NE¼ of Section 3, M.D.B.&M.; NE¼-NE¼ of Section 4, All in T.18N., R.20E. M.D.B.&M. and SE¼-SW¼ of Section 34, T.19N., R.20E., M.D.B.&M.**
8. Existing place of use **6.25 acres, NW¼-NE¼ of Section 3, T.18N., R.20E., M.D.B.&M.**
9. Use will be from **January 1 to December 31st** of each year.
10. Use was permitted from **as decreed**
11. Description of proposed works **pump & hose or stand pipe to trucks**
12. Estimated cost of works **approx. \$3,000**
13. Estimated time required to construct works **Already in place**
14. Estimated time required to complete the application of water to beneficial use **n/a**

15. Remarks: Construction/dust control use not to exceed twenty-five (25) acre feet per year
The stand pipe will be located with the NW $\frac{1}{4}$ -NE $\frac{1}{4}$...Section 3, T.18N.R.20E., M.D.B.&M..
or at a point from which the N $\frac{1}{4}$ corner of said Section 3, bears N. 13° 00' 00" W. a distance
of 5.90.0' feet (Steamboat Creek)

By s/Barry Fitzpatrick
137 Keddle Street
Fallon, Nv 89406

Compared my/ sam dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claims 709/710, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **May 27, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.156 cubic feet per second, but not to exceed 25.0 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:


Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 28th day of May, A.D. 2002


State Engineer

TEMPORARY

EXPIRED
DATE MAY 27 2003 

